

Remarks

Claims 3, 17, 24, 25 and 40 are pending after the cancellation of claims 1, 2, 4-16, 18-23, 26-39 and 41-44. Claim 24 is amended to change the dependency to allowed claim 3. Claims ²⁴~~25~~ and 40 are amended to depend from claim 3, and to recite additional epitopes. Amended claims ²⁵~~24~~ and 40 and new claims 45 and 46 are submitted herein with support in claims 2, 3, 4, 5, 6 and 17 as filed and in the specification, which teaches mosaic polypeptides comprising combinations of the disclosed and recited epitopes. The new claims and amendments do not add new matter and do not require a new search. Thus, their entry and allowance are respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 10, 41 and 42 are rejected as allegedly being anticipated by Hijikata M et al. (P.N.A.S. (USA) 1993 Vol. 90, pp. 10773-10777). Claims 10, 41 and 42 are cancelled herein, thus rendering this rejection moot.

Claims 9, 24, 40 and 44 are rejected as allegedly being anticipated by Takemura et al. (EP005160A1). Claims 9 and 44 are cancelled herein, thus rendering this rejection moot as to those claims. Regarding claims 24 and 40, they are amended to depend from allowed claim 3 and to further limit claim 3. Due to dependency from claim 3, amended claims 24 and 40 are free of this art. Thus, withdrawal of this rejection is merited and is respectfully requested.

Claims 9, 40 and 44 are rejected as allegedly anticipated by SRLS (JP07322881). Claims 9 and 44 are cancelled herein, thus rendering this rejection moot as to those claims. Regarding claim 40, it is amended to depend from allowed claim 3 and to further limit claim 3. Due to dependency from claim 3, amended claim 40 is free of this art.

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Thus, withdrawal of this rejection and allowance of claim 40 are merited and are respectfully requested.

Applicants acknowledge that claims 3, 17 and 43 are free of the art and would be allowed after the cancellation of any non-allowable claims. Any previously non-allowable claims have either been cancelled or put in condition for allowance.

New claims 45 and 46 depend from claims 3 and 17, respectively, and further define the invention. For the same reasons that claims 3 and 17 are free of the prior art, so are new claims 45 and 46. Thus, allowance of claims 45 and 46 is respectfully requested.

No fee is believed to be due at this time; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

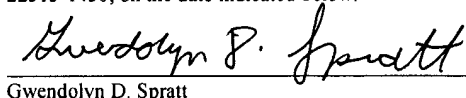


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